

AMENDED
APPLICATION FOR PERMIT

Nº 35730

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... AUG 11 1978

Returned to applicant for correction..... OCT 4 1978

Corrected application filed..... NOV 30 1978

Map filed..... NOV 30 1978

The applicant..... Clifford Herman

1240 Main Street....., of Fortuna.....
Street and No. or P.O. Box No. City or Town

California 95540....., hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Egan Mine, San Jose Tunnel.....
Name of stream, lake or other source.

2. The amount of water applied for is..... 3 cfs..... second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for..... Mining, Milling & Domestic.....
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section.....

14, T23N, R62E, MDB&M, whence the northeast corner of section 13.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
T23N, R62E, MDB&M, bears N 75° 05' 41" E, 7079.09 feet distant.
it should be stated.

6. Place of use..... portions of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 11; SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section.....
Describe by legal subdivision, if on unsurveyed land it should be so stated.

12; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 13; and the NE $\frac{1}{4}$ of section 14; all
in T23N, R62E, MDB&M.

7. Use will begin about 1st of January and end about 31st of December of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) installing a pump to pump the water through a 12" pipeline to the places of use.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$25,000.00
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The water will be used to aid the mining and milling operation
for an annual use of 707.7 million gallons per year.

Applicant Clifford Herman
Pro. 1/24/79 by Fish and Game (Withdrawn 2/8/79)
Pro. 2/05/79 by Edward Geiler By s/ Richard Forman
Pro. Overruled 1/23/85, Ruling #3101 Richard W. Forman, Agent
Compared lp/bl ll/bc P.O. Box 150
Ely, Nevada 89301

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 3.0 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 707.7 million gallons annually.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before February 19, 1988

Proof of completion of work shall be filed before March 19, 1988

Application of water to beneficial use shall be made on or before February 19, 1990

Proof of the application of water to beneficial use shall be filed on or before March 19, 1990

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed JAN 20 1988
Completion of work filed.....
Proof of beneficial use filed DEC 30 1988
Cultural map filed.....
Certificate No. 13264 Issued FEB 27 1992
Recorded.....Bk.....Page.....
County Recorder

IN TESTIMONY WHEREOF, I, PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 19TH day of FEBRUARY

Peter G. Morros
A.D. 19.85
State Engineer